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GUARDIAN PROTECTION PRODUCTS, INC.

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

GUARDIAN PROTECTION PRODUCTS,  
INC., a Delaware corporation,

Plaintiff,

vs.

G.P.P., INC. d/b/a GUARDIAN  
INNOVATIVE SOLUTIONS, a Pennsylvania  
corporation,

Defendant.

G.P.P., INC. d/b/a GUARDIAN  
INNOVATIVE SOLUTIONS, a Pennsylvania  
corporation,

Counterclaimant,

vs.

GUARDIAN PROTECTION PRODUCTS,  
INC., a Delaware corporation,

Counter-defendant.

CASE NO. 1:20-CV-01680-SKO

**STIPULATION AND ORDER TO  
MODIFY SCHEDULING ORDER**

**(Doc. 53)**

Complaint Filed: November 24, 2020  
Counterclaim Filed: February 22, 2021  
Trial: February 25, 2025  
Pre-Trial Conference: December 18, 2024

Pursuant to the Court's modified Scheduling Order [Dkt. No. 51] and L.R. 143, Plaintiff/Counter-Defendant Guardian Protection Products, Inc. ("Guardian") and Defendant/Counterclaimant G.P.P. Inc. d/b/a Guardian Innovative Solutions ("GIS") hereby submit the following stipulation and proposed order to further modify the Scheduling Order.

WHEREAS, on April 16, 2021, this Court issued a Scheduling Order [Dkt. No. 30] in this matter;

WHEREAS, on October 14, 2021 the parties submitted a Stipulation and Proposed Order to modify the scheduling order [Dkt. No. 40], and on October 15, 2021, the Court modified the Scheduling Order [Dkt. No. 41];

WHEREAS, following a week-long trial, on December 13, 2021, this Court issued a final judgment [Dkt. No. 499] in the related case entitled *G.P.P., Inc. d/b/a Guardian Innovative Solutions v. Guardian Protections Products, Inc., et al.*, Case No. 1:15-cv-00321-SKO (the “Related Case”);

WHEREAS, on February 3, 2022, the parties submitted a Further Stipulation and Proposed Order to modify the scheduling order based largely on the status of the Related Case [Dkt. No. 42], and on February 4, 2022, the Court modified the Scheduling Order [Dkt. No. 43];

WHEREAS, on April 15, 2022, GIS filed a Notice of Appeal in the Related Case [Dkt. No. 513];

WHEREAS, on April 22, 2022, Guardian filed a Notice of Appeal in the Related Case [Dkt. No. 516];

WHEREAS, on August 3, 2022, the parties submitted a Further Stipulation and Proposed Order to modify the scheduling order based largely on the status of the Related Case [Dkt. No. 44], and on February 5, 2022, the Court modified the Scheduling Order [Dkt. No. 46];

WHEREAS, on January 30, 2023, the parties submitted a Further Stipulation and Proposed Order to modify the scheduling order based largely on the status of the Related Case [Dkt. No. 48], and on January 31, 2023, the Court modified the Scheduling Order [Dkt. No. 49];

WHEREAS, on July 25, 2023, the Ninth Circuit issued its Mandate in the Related Case;

WHEREAS, on August 22, 2023, the parties submitted a Further Stipulation and Proposed Order to modify the scheduling order [Dkt. No. 50], and on August 24, 2023, the Court modified the Scheduling Order as follows [Dkt. No. 51]:

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| Event                                     | Continued Date                  |
|---|---------------------------------|
| Non-Expert Discovery                      | May 20, 2024                    |
| Expert Disclosures                        | June 17, 2024                   |
| Rebuttal Expert Disclosures               | July 15, 2024                   |
| Expert Discovery                          | August 12, 2024                 |
| Non-Dispositive Motion Filing             | August 12, 2024                 |
| Non-Dispositive Motion Hearing            | September 18, 2024              |
| Dispositive Motion Filing                 | September 18, 2024              |
| Dispositive Motion Hearing                | October 23, 2024                |
| Deadline to Request Settlement Conference | November 27, 2024               |
| Pretrial Conference                       | December 18, 2024, at 2:30 p.m. |
| Trial                                     | February 25, 2025 at 8:30 a.m.  |

WHEREAS, the parties have propounded and responded to written discovery in this matter and have been producing documents on a rolling basis.

WHEREAS, the parties have been attempting to informally resolve certain discovery disputes without the need of court intervention, and as of the filing of this stipulation, the parties have not completed the discovery process;

WHEREAS, absent an extension, the parties would be required to complete non-expert discovery in less than sixty days pursuant to the modified scheduling order entered on August 24, 2023;

WHEREAS, the parties have previously requested five extensions of time in this matter, with each extension largely premised on the appeal that was pending before the Ninth Circuit in the Related Case;

WHEREAS, the parties have filed cross-appeals of the Court's Order Re Cross Motions for Attorney's Fees which are currently pending in the Related Case;

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WHEREAS, the parties believe that the extensions requested herein are reasonable and necessary in order to provide the parties with adequate time to conduct and complete discovery, prepare any non-dispositive or dispositive motions, and otherwise prepare for trial without unnecessarily straining the resources of both parties and their counsel;

WHEREAS, the parties do not anticipate they will need to seek any further extensions;

ACCORDINGLY, IT IS HEREBY STIPULATED and REQUESTED by the parties that the Scheduling Order [Dkt. No. 51] be further modified as follows:

| Event                                     | Continued Date               |
|---|------------------------------|
| Non-Expert Discovery                      | September 13, 2024           |
| Expert Disclosures                        | September 27, 2024           |
| Rebuttal Expert Disclosures               | October 11, 2024             |
| Expert Discovery                          | October 25, 2024             |
| Non-Dispositive Motion Filing             | October 25, 2024             |
| Non-Dispositive Motion Hearing            | December 6, 2024             |
| Dispositive Motion Filing                 | February 7, 2025             |
| Dispositive Motion Hearing                | March 14, 2025               |
| Deadline to Request Settlement Conference | March 21, 2025               |
| Pretrial Conference                       | March 26, 2025, at 2:30 p.m. |
| Trial                                     | April 22, 2025 at 8:30 a.m.  |

IT IS SO STIPULATED.

Dated: April 18, 2024

GORDON REES SCULLY MANSUKHANI, LLP

By: /s/ Aaron P. Rudin

Calvin E. Davis

Aaron P. Rudin

Rebecca Krikorian

Attorneys for Plaintiff and Counter-Defendant

GUARDIAN PROTECTION PRODUCTS, INC.

Dated: April 18, 2024

WILSON SONSINI GOODRICH & ROSATI

By: /s/ Dylan G. Savage  
Dylan J. Liddiard  
Dylan G. Savage  
Attorneys for Defendant and Counter-  
Claimant G.P.P., INC. d/b/a GUARDIAN  
INNOVATIVE SOLUTIONS  
(as authorized on April 16, 2024)

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**ORDER**

Finding good cause therefor (*see* Fed. R. Civ. P. 16(b)(4)), the parties' stipulation (Doc. 53) is hereby approved. Accordingly, IT IS HEREBY ORDERED that the case schedule (Doc. 51) is MODIFIED as follows:

| Event                                     | Prior Date                      | Proposed Date   |
|---|---------------------------------|---|
| Non-Expert Discovery                      | May 20, 2024                    | September 13, 2024  |
| Expert Disclosures                        | June 17, 2024                   | September 27, 2024  |
| Rebuttal Expert Disclosures               | July 15, 2024                   | October 11, 2024  |
| Expert Discovery                          | August 12, 2024                 | October 25, 2024  |
| Non-Dispositive Motion Filing             | August 12, 2024                 | October 25, 2024  |
| Non-Dispositive Motion Hearing            | September 18, 2024              | December 4, 2024 <sup>1</sup>                             |
| Dispositive Motion Filing                 | September 18, 2024              | February 7, 2025  |
| Dispositive Motion Hearing                | October 23, 2024                | March 19, 2025 <sup>2</sup>                               |
| Deadline to Request Settlement Conference | November 27, 2024               | May 14, 2025, or 90 days before trial, whichever is later |
| Pretrial Conference                       | December 18, 2024, at 2:30 p.m. | June 18, 2025, at 2:30 p.m. <sup>3</sup>                  |
| Trial                                     | February 25, 2025 at 8:40 a.m.  | August 12, 2025, at 8:30 a.m. <sup>4</sup>                |

IT IS SO ORDERED.

Dated: **April 18, 2024**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> Magistrate Judge Oberto conducts civil law and motion hearings on Wednesdays at 9:30 A.M. The parties' proposed date has been adjusted accordingly.

<sup>2</sup> *Id.*

<sup>3</sup> In order to allow time for the Court to rule on dispositive motions and for the parties to prepare for trial, the parties' proposed date has been continued.

<sup>4</sup> *Id.*